

## **EXHIBITS**

### **PLAINTIFF’S STATEMENT OF FACTS NO. 15 NO. 16 and NO. 17**

**EXHIBIT #1 A** Norb Novocin Deposition Sept. 21, 2022 Page 38 A. Trombetta signature is “garbled and kinda hard to read”.

**EXHIBIT #1 B** Norb Novocin Deposition Sept. 21, 2022 Page 52 could not discern first initial and Plaintiff’s last name.

**EXHIBIT #1 C** Norb Novocin’s Sept. 21, 2022 Deposition Page 47 “A. Trombetta signature photo “ only surviving photos from the alleged 2012 ad. Pl.Evid 000163.

**EXHIBIT #1 D** Norb Novocin’s Sept. 21, 2022 Deposition Page 31- 32, and pages 83 to 86, regarding noted Tear” in the painting and Norb Novocin admission there is no visible Tear in his photo entered into discovery or his knowledge of any restoration

**EXHIBIT #2 A** Signatures by EAI and Plaintiff’s childhood handwriting.  
#2 B Pages 8 and 9 eBay Phone Transcript and Pl. Evid. 000144 and 000158.  
#2 C Norb Novocin Phone Transcript page 3 -signed Annamarie Trombetta

### **PLAINTIFF’S STATEMENT OF FACTS NO. 3**

**EXHIBIT #3** Plaintiff Evid. 000072 Jan. 2015 email from Susan (Sudha) Goldstein

**EXHIBIT #4** Plaintiff Evid.000073 Notarized Letter Susan Goldstein-Lost sale of artwork

**EXHIBIT #5** Plaintiff Evid. 000074 Scott Goodwillie Letter/Email loss of interested gallerists in Plaintiff’s artwork due to the EAI auction ad on WorthPoint’s website.

**EXHIBIT #6** Plaintiff Evid. 000075 Dr. Joseph Scelsa Letter/Email Fraudulent ad and oil painting Jeopardizing Plaintiff’s future chances to exhibit at Italian American Museum.

**EXHIBIT #7** Plaintiff’s Evid. 000052 Plaintiff’s Evid. 000053 Plaintiff’s Evid. 000056 Listing of 1972 Original Oil Painting Man With Red Umbrella Signed with Plaintiff’s solo - Italian American Museum Exhibit and website link italianamericanmuseumexhibition On Site Plein air.html—

### **PLAINTIFF’S STATEMENT OF FACTS NO. 4**

**EXHIBIT #8** 000295 SEE ECF 503 SEE EXHIBIT #2 Copyright Deposit Pages in Plaintiff’s Evid. 000119, 000120, 0000121, 000122, 000123, 000124, 000125 and Plaintiff’s Evid. 000126.

**PLAINTIFF'S STATEMENT OF FACTS NO. 5 and NO. 6**

**EXHIBIT #9 Plaintiff Evid. 000149, 0000150 and 000151**

**PLAINTIFF'S STATEMENT OF FACTS NO. 8**

**EXHIBIT #10 Plaintiff Evid. 000022 -Plaintiff Evid. 000023-Plaintiff Evid. 000024  
Plaintiff Evid. 000026 -Plaintiff Evid. 000028 Plaintiff Evid. 000028 B**

**PLAINTIFF'S STATEMENT OF FACTS NO. 9**

**EXHIBIT #11 Plaintiff Evid. 000058 -Plaintiff Evid. 000059 - Plaintiff Evid. 000060  
Plaintiff Evid. 000062A Plaintiff Evid. 000063 Plaintiff Evid. 000064  
Plaintiff Evid. 000065 Plaintiff Evid. 000066 Plaintiff Evid. 000067  
Plaintiff Evid. 000068**

**PLAINTIFF'S STATEMENT OF FACTS NO. 10**

**EXHIBIT #12 Plaintiff's Evid. 000285 and 000286 and Plaintiff's Evid. 0000021  
Plaintiff's Evid. 000023 Plaintiff's Evid. 000025 Plaintiff's Evid. 000027**

**EXHIBIT #13 Phone Transcript of Plaintiff and WorthPoint employee Anita Brooks**

**PLAINTIFF'S STATEMENT OF FACTS NO. 11**

**EXHIBIT #14 Phone Transcript of Plaintiff and WorthPoint employee Greg Watkins**

**PLAINTIFF'S STATEMENT OF FACTS NO. 12**

**EXHIBIT # 15 WorthPoint's bated stamped evidence in WP000062 WP000096 and  
WP000135.**

**EXHIBIT #16 Plaintiff Evid. bated stamped Will Seippel Feb. 20, 2016 email to Plaintiff  
in Plaintiff Evid. 000034 Plaintiff Evid. 000039 and Plaintiff Evid. 000040.**

**PLAINTIFF'S STATEMENT OF FACTS NO. 13**

**EXHIBIT #17 WorthPoint Evid. Jan. 4, 2017 emails WP000132, WP000133, WP000134**

**PLAINTIFF'S STATEMENT OF FACTS NO. 14 and NO. 15**

**EXHIBITS # 18 A Plaintiff Evid. 000872 Plaintiff Yahoo WorthPoint Membership fee  
EXHIBITS # 18 B Plaintiff Evid. 000158 -000159 Text from 1972 oil painting ad on  
WorthPoint webpage with Estate Auction Inc description.**

# EXHIBIT #13

PHONE TRANSCRIPT OF  
WORTHPOINT'S EMPLOYEE  
ANITA BROOKS AND  
PLAINTIFF  
ANNAMARIE TROMBETTA

**PLACEHOLDER**

Anita B. WorthPoint.m4a

Plaintiff's Evidence Expert Dis. 000919

# **Written Transcript for Phone Calls To WorthPoint Corp. 2016**

**1-January 22, 2016 Plaintiff Spoke  
To Anita Brooks-Referral to Greg**

**2-January 31, 2016 Plaintiff Left  
Phone Message**

**3-February 1, 2016 Second  
Phone Call Plaintiff Spoke With  
Anita Brooks Again Re Greg**

Plaintiff's Evidence Expert Dis. 000920

**1-January 22, 2016 Phone calls to WorthPoint Employee Anita Brooks  
By Artist Annamarie Trombetta**

{Several calls & messages left from Jan. 22 2016 to Feb. 1, 2016 }

**2-January 31, 2016 Message Left on WorthPoint Phone Service**

**3- February 1, 2016 Phone Call to Anita Brooks By Annamarie  
Trombetta**

**THREE PHONE CALLS WITHIN PLAINTIFF'S TRANSCRIPTION**

00;00;00;01 - 00;00;18;18

**Speaker Annamarie Trombetta Plaintiff**

Yes. Is this Anita?

Speaker WorthPoint Employee Anita Brooks

It is.

**Speaker Annamarie Trombetta Plaintiff**

Yes.This is Annamarie, Trombetta. I just called you. I am calling because I found a link on the internet relating to a painting that is on the WorthPoint website.

00;00;22;25 - 00;00;25;17

**Speaker Annamarie Trombetta Plaintiff**

Hello.

Speaker WorthPoint Employee Anita Brooks

I'm still here.

00;00;26;10 - 00;00;39;21

**Speaker Annamarie Trombetta Plaintiff**

So my question is, how do you compile your information and how can I find out who the seller was of this piece of artwork, this painting, that's listed on the Internet?

00;00;41;13 - 00;00;54;06

Speaker WorthPoint Employee Anita Brooks

If it's is on our website. Then you can contact whoever the source is. The source is eBay, or if you can prove ... you can contact them directly.

Plaintiff's Evidence Expert Dis. 000921

Plaintiff's Evidence

00;00;54;08 - 00;01;17;16

**Speaker Annamarie Trombetta Plaintiff**

I actually....

Speaker WorthPoint Employee Anita Brooks

They would have the information that....

**Speaker Annamarie Trombetta Plaintiff**

I actually .... I actually did contact eBay today.... I contacted eBay earlier today and uh..they said that they have no information regarding this um... image... because the code is nine digits and they only have a 12 digit code.

00;01;18;05 - 00;01;24;25

Speaker WorthPoint Employee Anita Brooks

OK. Well I'm not really familiar with that.... But we wouldn't have any information on the seller at all. We don't have that data. It is not useful to us.

00;01;24;26 - 00;01;34;26

**Speaker Annamarie Trombetta Plaintiff**

Right. But I just sent you an email a little while ago regarding a host of questions. How do you get your information ?

00;01;36;19 - 00;01;37;11

Speaker WorthPoint Employee Anita Brooks

From our affiliates.

00;01;38;03 - 00;01;39;12

**Speaker Annamarie Trombetta Plaintiff**

Well, who's your affiliates.

00;01;40;14 - 00;01;45;00

Speaker WorthPoint Employee Anita Brooks

There's a list of affiliates on our website.

00;01;46;01 - 00;01;48;06

Exhibits Evidence Expert Dis. 000922

**Speaker Annamarie Trombetta Plaintiff**

umm hmm ... Well... Is there any way that I can find out ...Who owns this painting.

00;01;48;29 - 00;01;49;16

**Speaker WorthPoint Employee Anita Brooks**

If eBay is the source on our website, and they don't have the information ..... who the seller or buyer is.....we would not have that information.

00;02;01;08 - 00;02;02;16

**Speaker Annamarie Trombetta Plaintiff**

Well, I'm the artist....

00;02;02;17 - 00;02;04;13

**Speaker WorthPoint Employee Anita Brooks**

You would not be able to get that information from WorthPoint.

00;02;05;09 - 00;02;32;01

**Speaker Annamarie Trombetta Plaintiff**

I wouldn't be able to get that information from WorthPoint.

**Speaker WorthPoint Employee Anita Brooks**

No

**Speaker Annamarie Trombetta Plaintiff**

Well, your company has put up a link to..... not only me, who's the artist, but also to my recent accomplishments in 2015. This painting is dated 1972. And you're telling me that you don't have the information. So how did it.

00;02;32;07 - 00;02;34;26

**Speaker WorthPoint Employee Anita Brooks**

You're, you're the ... you're the.... You're the paint.... You're the artist ?

00;02;34;26 - 00;02;43;23

**Speaker Annamarie Trombetta Plaintiff**

I'm the artist. But I never did that painting.

Plaintiff's Evidence Expert Dis. 000923

Speaker WorthPoint Employee Anita Brooks

You're the artist but you never did that painting ?

**Speaker Annamarie Trombetta Plaintiff**

That is correct.

00;02;44;28 - ;02;59;08

Speaker WorthPoint Employee Anita Brooks

Okay, well, that's not information that we would have. We don't. We don't have.... anything to do with ..um... any information that eBay, uh.... gives us. Whatever information eBay has.... When someone post something on eBay and they're asking for a bid and they want to sell it on eBay and they sell it on eBay, the information that eBay has, is what we receive from them, we don't alter the information at all.

00;03;09;16 - 00;03;10;00

**Speaker Annamarie Trombetta Plaintiff**

OKay , so.....

00;03;10;05 - 00;03;14;04

Speaker WorthPoint Employee Anita Brooks

All the information that you see on our website is exactly what we got from eBay.

00;03;17;01 - 00;03;25;24

**Speaker Annamarie Trombetta Plaintiff**

( Plaintiff is Referring to WorthPoint's sales Records shown to subscribers to WorthPoint membership )

But ..... there is no item category..... and there is no seller. There's just a date and a price.

00;03;26;23 - 00;03;29;18

Speaker WorthPoint Employee Anita Brooks

Right. Cause that's the information we receive from eBay.

00;03;29;18 - 00;03;59;01

Plaintiff's Evidence Expert Dis. 000924

**Speaker Annamarie Trombetta Plaintiff**

Right. But the price is not available if you don't sign on for the membership. And it also says. Yeah. Well, it also says in the description that there's 12 photos and there's no .....I signed on to the descript. ...uh... for the membership to WorthPoint, and there's no photos other than a photo of a signature So even though you're saying that you got this information from eBay, .... who's your source?

00;04;00;12 - 00;04;05;04

**Speaker WorthPoint Employee Anita Brooks**

eBay

**Speaker Annamarie Trombetta Plaintiff**

That doesn't answer my question. Who gets the information?.....from eBay

00;04;05;04 - 00;04;08;26

**Speaker WorthPoint Employee Anita Brooks**

That's our source ... our source is eBay. We received the information directly from eBay.

00;04;08;26 - 00;04;15;16

**Speaker Annamarie Trombetta Plaintiff**

But a person at your company has to receive the information. Who is that person?

00;04;15;26 - 00;04;17;21

**Speaker WorthPoint Employee Anita Brooks**

Oh, that's not.... No name.. That's not information that I would give out.

00;04;18;12 - 00;04;24;22

**Speaker Annamarie Trombetta Plaintiff**

Well, I'm asking because you've given out my information and you've given out my information ....incorrectly.

00;04;25;22 - 00;04;30;10

**Speaker WorthPoint Employee Anita Brooks**

Well, what we have done is... eBay has the one who has put that information on their website. and you refus... Mame...mame ...we receive the information from eBay

Plaintiff's Evidence Expert Dis. 000925

00;04;30;13 - 00;04;35;04

**MS. BROOKS IS SPEAKING OVER PLAINTIFF AT THE SAME TIME**

**Speaker Annamarie Trombetta Plaintiff**

No, but you're ... You're ... responsible. ... ... You're responsible.

00;04;35;25 - 00;04;58;10 00;04;58;20 - 00;05;05;15

**Speaker WorthPoint Employee Anita Brooks**

So if the information was on your wrong, that they (eBay) gave us ... okay. Now we know that it's wrong. You can send us an Email ....If you want that information to be corrected on our website so that someone would have the proper ....You can email us the corrected information that you would like to be seen on our website, and I'll pass it on to our marketing director and we'll find out if he's going to change that information and/ or take it out altogether. But I wouldn't give out any information referencing any specific person in our company. I'll pass the information on to them through your email..... the seller it is?

00;05;05;16 - 00;05;10;26

**Speaker Annamarie Trombetta Plaintiff**

I'm asking.... I'm asking, who is the person at your company that put this on your website  
**( MS. BROOKS IS SPEAKING OVER PLAINTIFF AT THE SAME TIME)**

00;05;10;26 - 00;05;33;17

**Speaker WorthPoint Employee Anita Brooks**

Again... I will not give out this information....If you want to email us at [support@worthpoint.com](mailto:support@worthpoint.com) and ask any specific questions or request...or any specific thing.... , I'll pass that information on to the marketing director. And the marketing director can correspond with you at their leisure, deciding on what they want to do. But, I personally am not going to give you any specific information about anyone at our company.

00;05;33;20 - 00;05;39;16

**Speaker Annamarie Trombetta Plaintiff**

**(MS. BROOKS IS SPEAKING OVER PLAINTIFF AT THE SAME TIME)**

OK, well, Can I....Can I have... Can I have the name of the marketing director ? For the email

00;05;39;18 - 00;05;55;27

Plaintiff's Evidence Expert Dis. 000926

Speaker WorthPoint Employee Anita Brooks

His name is Greg ....His name is Greg ...

**Speaker Annamarie Trombetta Plaintiff**

Greg what?

Speaker WorthPoint Employee Anita Brooks

Greg he's the only Greg here and that's all the information I'm going to give you. Again if you want to email me I will pass the information on to him and he can correspond with you that way, but I'm not going to give you any other specific information about him.

00;05;56;06 - 00;06;01;08

**Speaker Annamarie Trombetta Plaintiff**

But yo' re putting inform....you're putting information....Anita ...Anita ...Your company is...

**(MS. BROOKS IS SPEAKING OVER PLAINTIFF AT THE SAME TIME)**

Speaker WorthPoint Employee Anita Brooks -

--SPEAKING OVER PLAINTIFF IN A VERY RUDE MANNER

....on our website....and it is from our affiliates....copy down your putting any specific information any information on our website about you... That's not what we've done....

00;06;01;08 - 00;06;01;21

**Speaker Annamarie Trombetta Plaintiff**

Yes you ...Yes you...

00;06;08;06 - 00;06;20;26

Speaker WorthPoint Employee Anita Brooks

That's not what we've done.

00;06;21;00 - 00;06;21;28

**Speaker Annamarie Trombetta Plaintiff**

Yes, you have. You put my biography, which describes me to a tee. That's how I knew it was me. It describes my.... the year that I was born, where I lived..... Personal information.

00;06;25;09 - 00;06;32;01

*Plaintiff's Evidence Expert Dis. 000927*

Speaker WorthPoint Employee Anita Brooks

Email me.....Email me that information. If it's if it's public information...and we got it from eBay, then we can put it on my website.

00;06;32;04 - 00;06;34;07

Speaker Annamarie Trombetta Plaintiff

Well, it's also copyrighted information.

00;06;35;04 - 00;06;45;03 00;06;45;03 - 00;06;54;13

Speaker WorthPoint Employee Anita Brooks

We can... Based on the information that we were receive from ...from ..... eBay or any of our other affiliates we can put that on the website. It's NOT private information. That's public information.. Where you were born ... Your name... all that. That's public information. Anybody can look that up if they know your first and last name. That's public information. You can look that up through the... through the state....website.. That's public information mame.

00;06;57;04 - 00;07;07;16

Speaker Annamarie Trombetta Plaintiff

Yes, but it was....The information was very descriptive and taken from a particular source.

00;07;08;00 - 00;07;11;13

Speaker WorthPoint Employee Anita Brook

OK, well, you may ...You may want to contact that particular source and ask them why they're passing your information around.

00;07;12;06 - 00;07;15;16

Speaker Annamarie Trombetta Plaintiff

Well, that source is you !

00;07;15;23 - 00;07;30;19

Speaker WorthPoint Employee Anita Brooks

No Mame .....Because... because ..we don't we're not .. we don't... we... The only information that's on our website.... And what I'm trying to get you to understand..... Is the information that we have received from another source.....

**(MS. BROOKS IS SPEAKING OVER PLAINTIFF AT THE SAME TIME)**

Plaintiff's Evidence Expert Dis. 000928

**Speaker Annamarie Trombetta Plaintiff**

and I'm and .... I'm and .... I'm ...I'm

**(MS. BROOKS IS SPEAKING OVER PLAINTIFF AT THE SAME TIME)**

**Speaker WorthPoint Employee Anita Brooks**

That is either eBay or another different affiliates but we personally do not go out and hunt down....information

00;07;30;21 - 00;07;56;13 --00;07;56;20 - 00;07;59;13

**Speaker Annamarie Trombetta Plaintiff**

Okay.... It has to be a different affiliate because trust me, when I tell you, I contacted eBay today and spoke to four different people.... and they said that they have no record of that information and they have consistently..... the four people that I spoke to..... told me.... informed me that this is on WorthPoint's website I have to contact you.....That's why I'm contacting you..... It's that simple.

00;07;59;13 - 00;08;02;22

**Speaker WorthPoint Employee Anita Brooks**

That's because they don't keep information past a certain amount of time, that's the only reason. They don't keep information past ninety (90) days.

00;08;02;27 - 00;08;27;10

**Speaker Annamarie Trombetta Plaintiff**

They don't keep information. But that's ....that's not my problem. My problem is that eBay and Worth Point have ascribed a false painting to my name.

00;08;27;11 - 00;08;29;19

**Speaker WorthPoint Employee Anita Brooks.**

And I'll pass the information onto Greg.

**Speaker Annamarie Trombetta Plaintiff**

Is there anyone else, any supervisor at your company that I can speak to regarding this?

**Speaker WorthPoint Employee Anita Brooks.**

No mame. I can handle this and I will pass it onto Greg. That's the protocol here.

00;08;31;18 - 00;08;36;05

Plaintiff's Evidence Expert Dis. 000929

**Speaker Annamarie Trombetta Plaintiff**

Well, I have my own protocol too... which is I don't like false...

**WorthPoint Employee ANITA BROOKS ---SPEAKING OVER PLAINTIFF**

00;08;36;15 - 00;08;44;02

**Speaker WorthPoint Employee Anita Brooks**

Sure... by all means... and you Email us....all the questions that you said you want us to find out, you email us and I'll pass that information onto Greg. Now we're going to let him handle it

00;08;45;11 - 00;08;48;10

**Speaker Annamarie Trombetta Plaintiff**

Well, is he available today? (—the date was January 22, 2016.)

00;08;51;19 - 00;08;55;05

**Speaker WorthPoint Employee Anita Brooks**

I'm not privy to his schedule, but I will make sure he gets this email.

00;08;55;27 - 00;09;07;23

**Speaker Annamarie Trombetta Plaintiff**

Well, I'm telling you again, if you can pass that onto Greg. I contacted eBay four times. This is a piece of artwork that's from 1972.

00;09;08;11 - 00;09;11;18

**Speaker WorthPoint Employee Anita Brooks**

As you have explained and I will copy information onto Greg.

00;09;12;05 - 00;09;12;23

**Speaker Annamarie Trombetta Plaintiff**

Thank you.

**Speaker WorthPoint Employee Anita Brooks**

Have a good day.

Plaintiff's Evidence Expert Dis. 000930

**From January 22, 2016 thru January 31, 2013 Plaintiff left messages with WorthPoint Message Voicemail. On January 29, 2016 I signed out of WorthPoint's Membership January 31, 2016, I recorded message I left on voicemail**

## **WORTHPOINT SERVICE OUTGOING MESSAGE**

Time 00;09;18;28 - 00;09;54;01

### **WORTHPOINT'S OUTGOING VOICE MESSAGE SERVICE ON MONDAY FEBRUARY 1. 2016**

Welcome to WorthPoint. Your call is important to us. Please listen carefully as our options have changed. on hold you may in the press 9 at any time to leave a voicemail For Cancelations--press one For Password --press two. If you're looking to Buy or Sell ---press three-- For bidding and billing information --press four. To speak to a representative please press 6 The person at extension 4011 is unavailable. Please leave your message after the tone. When done, hang up or press the pound key.

00;09;55;12 - 00;10;19;04

**Annamarie Trombetta Plaintiff's February 1, 2016 Voice Message left on WorthPoint's Phone Message Service**

**Speaker Annamarie Trombetta Plaintiff**

Yes, my name is Annamarie Trombetta . **Today is February, first Monday(2016)** I need to speak to Anita regarding a situation of a piece of artwork online which is attributed to me that is not mine. My telephone number is 212. 427-5990. Again, this message is for Anita, thank you.

### **WORTHPOINT'S AUTO PHONE CALLING SERVICE LEDS TO 2ND CALL WITH ANITA BROOKS on FEBRUARY 2, 2016**

00;10;25;25 - 00;10;36;04

FEBRUARY 2, 2016 WORTHPOINT'S OUTGOING VOICE MESSAGE SERVICE

Your call is important to us all. Please listen carefully as our options have changed.  
(Sound of Phone ringing)

00;00;11;26;26 - 00;11;28;15

Plaintiff's Evidence Expert Dis. 000931

Speaker WorthPoint Employee Anita Brooks

Hello WorthPoint, this is Anita. May I help you.

**Speaker Annamarie Trombetta Plaintiff**

Ah Yes Anita,  
This is Annamarie Trombetta. I'm returning your call from yesterday or trying to, you know contact you. I have been looking at the internet and underneath my name comes up this painting that I did not do and it's on the WorthPoint dot com website. I don't know what to tell you. I... it's not my painting.

00;11;07;13 - 00;11;23;18

Speaker WorthPoint Employee Anita Brooks

OK?

**Speaker Annamarie Trombetta Plaintiff**

And yet it's coming up underneath my name. When you google my full name, it's one of my credentials. And since I didn't do it, it's ....it's not....it doesn't belong there.

00;11;29;05 - 00;11;44;22

Speaker WorthPoint Employee Anita Brooks

And you said it's on our website.

**Speaker Annamarie Trombetta Plaintiff**

It's on your..... it's on your website. Yeah. ....And more importantly, it comes up underneath my name. If you Google Annamarie Trombetta.....

0;11;45;05 - 00;11;47;01

Speaker WorthPoint Employee Anita Brooks

OK .....And have you not had any correspondence from somebody here regarding that?

00;11;50;02 - 00;12;00;03

**Speaker Annamarie Trombetta Plaintiff**

That is the reason for my call. I have not. When I last spoke with you on January the 22nd I did tell you about this I said.

00;12;00;06 - 00;12;02;04

Plaintiff's Evidence Expert Dis. 000932

Speaker WorthPoint Employee Anita Brooks

Right and no one has corresponded with you?

00;12;02;15 - 00;12;09;02

**Speaker Annamarie Trombetta Plaintiff**

Yeah ---Somebody named Greg didn't correspond with me. You had said that you would forward this to Greg.

00;12;09;09 - 00;12;16;19

Speaker WorthPoint Employee Anita Brooks

Yes I did and that's why I asking did he not correspond with you. Ok well I will forward your number to him once again and let him know.

00;12;17;02 - 00;12;20;08

**Speaker Annamarie Trombetta Plaintiff**

OK, well, can anything be done about this?

00;12;21;24 - 00;12;31;05

Speaker WorthPoint Employee Anita Brook

Well, he'll have to make that decision.

**Speaker Annamarie Trombetta Plaintiff**

Well...ah

Speaker WorthPoint Employee Anita Brook

We won't want to say that you are the artist ....if in fact you're not the artist.

00;12;32;10 - 00;12;32;25

**Speaker Annamarie Trombetta Plaintiff**

Right

Thank you.

Speaker WorthPoint Employee Anita Brook

00;12;33;21 - 00;12;35;22

You're quite welcome. I will pass your information along.

Plaintiff's Evidence Expert Dis. 000933

00;12;35;28 - 00;12;38;19

**Speaker Annamarie Trombetta Plaintiff**

OK, thanks.

**Speaker WorthPoint Employee Anita Brook**

Have a good day.

**Speaker Annamarie Trombetta Plaintiff**

You too.

**END**

# EXHIBIT #14

PHONE TRANSCRIPT OF  
WORTHPOINT'S WEBMASTER  
GREG WATKINS AND  
PLAINTIFF  
ANNAMARIE TROMBETTA

**PLACEHOLDER**

Gregory Watkins Webmaster  
WorthPoint.com.m4a

Plaintiff's Evidence Expert Dis.000999

# Transcript of February 3, 2016 Phone Call

**Phone Call between Artist Annamarie Trombetta (Now Plaintiff)  
And Copyright Registered Agent for WorthPoint Corporation  
Employee Gregory Watkins (Attached Copyright For Proof)**

**Date of Phone Call February 3, 2016 Phone Call**

00;00;04;08 - 00;00;11;23

Speaker Gregory Watkins

Hi

**Speaker Annamarie Trombetta Plaintiff**

Yes. Good morning. Gregory, this is Annamarie Trombetta. Ah..You gave me a call yesterday afternoon.

00;00;12;18 - 00;00;13;10

Speaker Gregory Watkins

Right. How are you doing?

00;00;13;13 - 00;00;14;27

**Speaker Annamarie Trombetta Plaintiff**

I'm doing OK. How about you?

00;00;15;25 - 00;00;21;25

Speaker Gregory Watkins

I'm good. So, you have an issue with one of the listings on our site.

00;00;22;04 - 00;00;29;09

**Speaker Annamarie Trombetta Plaintiff**

Mm hmm. I emailed the particular link to you a few times.

Speaker Gregory Watkins

I have it.

**Speaker Annamarie Trombetta Plaintiff**

Yeah.

Plaintiff's Evidence Expert Dis.001000

00;00;31;06 - 00;00;32;10

Speaker Gregory Watkins

So you're saying this is not your painting ?

00;00;32;21 - 00;00;40;24

Speaker Annamarie Trombetta Plaintiff

Well, I'm asking who the, who is the person that posted that as well?  
Because that's vital to me.

00;00;42;26 - 00;00;46;24

Speaker Gregory Watkins

When we get data and in this case, it comes from eBay

00;00;47;04 - 00;00;47;12

Speaker Annamarie Trombetta Plaintiff

Mm hmm.

00;00;47;29 - 00;01;00;23

Speaker Gregory Watkins

We only get the page, with the information on it that you see. The person who sold that painting ... it is an eBay seller, but none of that information is transferred to us.

00;01;01;23 - 00;01;10;13

Speaker Annamarie Trombetta Plaintiff

And none of that information is in the data of eBay. They keep telling me that they don't have that information. So...

00;01;11;05 - 00;01;33;14

Speaker Gregory Watkins

They(eBay) don't save it.  
They only hang onto it for about, used to be a month. now I think it's about three months. And um now, and then what happened is it's... it's... eBay gives it to a middleman. We buy all sorts of art and antique collectibles data from the middleman..

00;01;33;24 - 00;01;36;11

Plaintiff's Evidence Expert Dis.001001

**Speaker Annamarie Trombetta Plaintiff**

Mm hmm. Well, who's the middleman then?

00;01;37;12 - 00;01;51;01

**Speaker Gregory Watkins**

That would be to Terapeak

**Speaker Annamarie Trombetta Plaintiff**

Terapeak ??

**Speaker Gregory Watkins**

Terapeak. But they don't... EBay only sends the information that's on the page like this, right. So everything else that's connected to it is.. disappears.

00;01;51;15 - 00;02;12;02

**Speaker Annamarie Trombetta Plaintiff**

OK, so a logical question is, if this piece of artwork is- was sold in 2012 and eBay doesn't keep any of the data longer than three months, then how did this appear onto my website uh.. uh.. uh.. onto your website. now ? I haven't seen it ummm ...

**Speaker Gregory Watkins**

00;02;12;15 - 00;02;17;28

Oh.. Ok, the.. the information this is on... That is what the original eBay listing looked like...

**Speaker Annamarie Trombetta Plaintiff**

Again but... it ...it..

00;02;17;28 - 00;02;30;02

**Speaker Gregory Watkins**

In other words, and the ah..and the photograph is what the eBay seller put up.

00;02;30;21 - 00;03;07;

**Speaker Annamarie Trombetta Plaintiff**

So you're saying that this piece from 2012 has all of a sudden surfaced in 2016 at the same time concurrently, you're telling me that eBay doesn't keep data, uh.. more than six months. So again, just a logical question would be umm.. basically... How ..how could this happen if eBay

Plaintiff's Evidence Expert Dis.001002

doesn't keep information and you're putting up information about a piece of artwork that was sold from four years ago.

00;03;08;03 - 00;03;34;05

Speaker Gregory Watkins

Ok ..They separate out the information from the listing, which is what we have... and the information about the seller and the business side of that. So we don't get any of the back end ... who sold it, who bought it .. any of the information about where we shipped. We only get a copy of what the listing looked like and what the final price was.

00;03;34;15 - 00;03;47;05

Speaker Annamarie Trombetta Plaintiff

So can you give me ah.. the listing from the source that you received this information from ?

00;03;48;00 - 00;03;49;25

Speaker Gregory Watkins

Well.. You mean the actual metadata ?

Speaker Annamarie Trombetta Plaintiff

Yes

00;03;50;20 - 00;04;04;11

Speaker Gregory Watkins

I can .. I can ..ask our I-T guy, but the ah.. I really don't know if there's any more than just the words that you see on the page and the photograph.

00;04;04;26 - 00;04;21;05

Speaker Annamarie Trombetta Plaintiff

Well, all I can tell you is that there is a photograph that says "A. Trombetta" and there is a biography listing that is so detailed it could no ...it could belong to no one other than myself. That's how detailed it is.

00;04;21;05 - - 00;04;34;28

Speaker Gregory Watkins

Right. I..I .I as I looked at it, I thought that who sold it must have done a Google search on you, saw the name and decided that the picture

Plaintiff's Evidence Expert Dis.001003

was you.. and listed ..ah.. the bio stuff on your website or somebody's website.

00;04;35;05 - 00;04;53;01

**Speaker Annamarie Trombetta Plaintiff**

No my website.

Because it's.. it's.. a direct. It's almost like a..ah. It's not a direct replica, but it's derivative, specifically derivative. So they're equating me with this painting. I would have been nine years old when it was painted.

00;04;54;08 - 00;04;58;16

Speaker Gregory Watkins (GREGORY WATKINS LAUGHS WHEN HE HEARD I WAS NINE)

Okay. Well, I can do this for you. I can take the whole list that make it disappear.

00;04;59;02 - 00;05;19;04

**Speaker Annamarie Trombetta Plaintiff**

Well, that would that would be it ah. This is the objective for me contacting you. The other objective is to try and find out somehow who sold this or who twisted this information. To associate me with this painting.

00;05;21;07 - 00;05;27;14

Speaker Gregory Watkins

Well, well I would.. I would say that it would be the seller here. either

**Speaker Annamarie Trombetta Plaintiff**

yeah but if it

00;05;26;28 - 00;05;37;05

Speaker Gregory Watkins

They were either confused about the date of your birthday, with the date of the paint.. or Didn't care and just wanted to sell it and put it out there knowing that it was wrong.

00;05;37;08 - 00;05;46;06

**Speaker Annamarie Trombetta Plaintiff**

Correct. And that makes it a fraudulent piece of artwork, and that is, ah you know, that.. that's illegal.

Plaintiff's Evidence Expert Dis.001004

00;05;46;14 - 00;05;54;03

Speaker Gregory Watkins

Yes. The problem that I think you are going to face is.. ah.. I'll ask my IT guy, if there's any metadata attached to the page, but I don't think so.

00;05;57;03 - 00;06;23;01 CONTINUED Speaker Gregory Watkins

The best that I can do is to down the listing so it disappears. It will it won't umm.. it won't .. be on our site anymore. And if the Google listing... It is going to take a while for it to work all the way through Google, if somebody clicks on that Google link ..they'll just get an error Page.. 404 error page... The page that you are looking for doesn't exit.

00;06;26;11 - 00;06;28;08 CONTINUED Speaker Gregory Watkins

And eventually Google will clear that out when they re-spider the site.

00;06;28;18 - 00;06;33;05

Speaker Annamarie Trombetta Plaintiff

Mm hmm. Do I need to contact Google ?

00;06;35;04 - 00;06;40;13

Speaker Gregory Watkins

They don't even have a phone number on their site.

Speaker Annamarie Trombetta Plaintiff

Yeah, well, that's the prob.

Speaker Gregory Watkins

You could try that.

00;06;40;13 - 00;06;58;27

Speaker Annamarie Trombetta Plaintiff

That's the problem with, you know, initially what your company as well as umm.. eBay. And I need to ask you this, How long, to your knowledge, do you know that this ah.. listing has been up there?

Plaintiff's Evidence Expert Dis.001005

00;07;00;03 - 00;07;06;08  
Speaker Gregory Watkins

Well, if it sold in 2012. We usually get the data about six months..  
there's a six month lag ..

00;07;06;28 - 00;07;20;09

Speaker Annamarie Trombetta Plaintiff

There's a six month lag. OK. That's why it's important for me to umm...  
to get the name of the seller, because they did it once. They could do it  
again.

00;07;21;09 - 7;22;07  
Speaker Gregory Watkins

Well, yes, they can.

Speaker Annamarie Trombetta Plaintiff

Yes, they can.

Speaker Gregory Watkins

00;07;24;19 - 00;07;35;08

The problem that.. that.. we have with the information that we have, is  
that we never got any of the information about the sellers.

00;07;37;17 - 00;07;49;04  
All the, you know.. um..All the 300 million pages that we have of these  
sales documents ..ah.. none of them have any connection to the sale, the  
seller, as far as eBay.

00;07;49;10 - 00;07;55;19

Speaker Annamarie Trombetta Plaintiff

But isn't that information? Aren't you responsible for that information?  
That you're putting on your site ?

00;07;56;20 - 00;08;09;02

Speaker Gregory Watkins

Well, we're not we're not given that. We don't have.. we are.. all we  
are trying to do is show what an item has sold for. And if there's a  
problem with the item. We will take it down.

00;08;09;13 - 00;08;09;24

Speaker Annamarie Trombetta Plaintiff

Plaintiff's Evidence Expert Dis.001006

Okay. But..

00;08;09;25 - 00;08;17;17

Speaker Gregory Watkins

We can't vet every page that we.. that we are given to post.

00;08;18;13 - 00;08;34;10

Speaker Annamarie Trombetta Plaintiff

But isn't there some kind of responsibility that the company has to not vet .. but validate, the validity or authenticity of, in my case in particular, ah .. pieces of artwork. Because..

00;08;35;26 - 00;08;55;13

Speaker Gregory Watkins

Well.. we..we have to rely on .. the ah.. auction houses and the online retailers who sell the items. And then we get their data. We have to rely on them making sure that it's correct.

Speaker Annamarie Trombetta Plaintiff

Well, again.

00;08;55;29 - 00;09;24;11

Speaker Gregory Watkins

EBay has several you know, has a whole department that goes to listings on subcategories of items that are often knockoffs or or.. illegal copies. And they will flag those when when they see them. But with a like individual piece of artwork that has your name on it, that there is nothing that would make a red flag show up in that department.

00;09;25;04 - 00;09;34;23

So the best that I can give you the email address of our CEO.

Speaker Annamarie Trombetta Plaintiff

Mm hmm.

00;09;34;23 - 00;09;47;29

Speaker Gregory Watkins

And that he can talk with you about it. But otherwise, the best that I can do right now is take that listing down. And I got an email already drafted to the IT department to have them take it down, I just want to wait to talk to you and find out exactly what you want to do.

Plaintiff's Evidence Expert Dis.001007

00;09;48;26 - 00;09;57;24

Speaker Annamarie Trombetta Plaintiff

Ah..I would like your take.. taken down, of course, immediately, simply because it is.. it's fraudulent. I did not do that painting.

00;10;00;09 - 00;10;03;04

Speaker Gregory Watkins

Ok.

Speaker Annamarie Trombetta Plaintiff

So the email of the CEO is ..?

00;10;04;03 - 00;10;16;27

Speaker Gregory Watkins

Will W - I -L- L at worth point dot com. His name is Will Seippel. He is the founder.

Speaker Annamarie Trombetta Plaintiff

Ok

00;10;17;16 - 00;10;26;05

Speaker Gregory Watkins

And, if you email him today.. I know that he's in ah.. he's in Las Vegas for a conference for the next couple of days.

Speaker Annamarie Trombetta Plaintiff

Mmm humm

00;10;26;05 - 00;10;33;29

Speaker Gregory Watkins

So if it takes him a couple of days to get to you..ah..but he does reply to all his emails.

00;10;34;02 - 00;10;44;23

Speaker Annamarie Trombetta Plaintiff

Understood. Ok well. I appreciate that, but it did take a while. I've

Plaintiff's Evidence Expert Dis.001008

called Anita a few times about this, umm.. but I do appreciate the follow up. Ah ..

00;10;45;04 - - 00;11;17;14

Speaker Gregory Watkins

Yeah, well, you know, we are we're a small company. For as much data as we have out there we're are literally a company of eight people.

00;10;52;08 - 00;10;59;06

And she sent me ah several .. ah several e-mails from different people who had different concerns.. And I thought that I had replied to yours already, and I actually replied to two people at the same time. It wasn't Anita's fault, it got hung up in my inbox, and I missed it. So I guess you called back and Anita pinged me yesterday and to say that I needed to call you back.

00;11;18;01 - 00;11;25;13

Speaker Annamarie Trombetta Plaintiff

Well, I do have one last question. How long has the information been up there, to your knowledge?

00;11;26;01 - 00;11;29;19

Speaker Gregory Watkins

Two thousand thirteen ...2013 But I can ask the IT guy if there's a date attached to it.

00;11;29;25 - 00;11;31;23

Speaker Annamarie Trombetta Plaintiff

Yeah, that I would definitely need.

00;11;32;15 - 00;11;50;08

Speaker Gregory Watkins

I don't get to see the back end of the information so ah, if there is a tag on it that tells when it was posted, I could ask him that before they take it down. And then if I get it, I can send it back to you. But you know what, Let me get your email address.

Speaker Annamarie Trombetta Plaintiff

Okay.

00;11;50;09 - 00;12;14;08

Plaintiff's Evidence Expert Dis.001009

Speaker Gregory Watkins

Alright.

Speaker Annamarie Trombetta Plaintiff

It's my last name. T R O M -as in Mary, B as in boy ,E, T as in Tom, T as in toy. A as an apple, A as in art. So there's two T's together, two A's .. R as in red , T. Trombettaart at Yahoo Dot com.

00;12;14;08 - 00;12;24;08

Speaker Gregory Watkins

OK, trombetta.

Speaker Annamarie Trombetta Plaintiff

Art.. T ..r..o.. m as in Mary ..b as in boy. dot com So, yeah, you know..like to..

00;12;24;10 - 00;12;54;18

Speaker Gregory Watkins

Let me read it back to you.. t r o m b e t t a.. I send off an email to the IT guy and ask him to take down the links and while he's doing it to look and see if there's a date that shows when we posted it.

Speaker Annamarie Trombetta Plaintiff

Mm hmm.

Speaker Gregory Watkins

And I will email you that date. And then beyond that, you can talk with Will or you can email Will and he can explain, probably much better than I can, how we get the data and why we don't have that anything.

00;12;54;19 - 00;13;25;14

Speaker Annamarie Trombetta Plaintiff

Yeah, why? Why? I can't know the name of the seller. I mean, basically, I think as a company even though you're small, you do have a responsibility as far as the quality, the character and the accuracy. And also the authenticity. This is a fraudulent piece of art that's attribul.. attribula.. attributed to me. Along with that, it does say that the piece is damaged and that the work is reminiscent of Andre Khron's work.

00;13;25;14 - 00;13;30;06 CONTINUED Speaker Annamarie Trombetta Plaintiff

And I look that up and you definitely have pieces of his on your site.

Plaintiff's Evidence Expert Dis.001010

00;13;33;17 - 00;13;53;19

So the description is, I don't know, but, you know, I don't.. I don't it's it did not when I went on to your site, it did not..ah.. show.. It said there were 12 photographs, but I didn't find any photographs. I just saw a photograph of my signature Well.. fraudulent signature..

00;13;53;29 - 00;14;11;13

Speaker Gregory Watkins

Ya, I don't understand that. Usually when we have um.. a listing it's got..ah.. three or four photographs. Especially when somebody's selling a piece of art, you would have the main, you know, a picture what the art looks like. And so that is odd that there are no other pictures.

00;14;11;19 - - 00;15;15;14

Speaker Annamarie Trombetta Plaintiff

Well, if you'er the website guy, then and you control ah..what goes on or on that site, then please do, you know, look, look at it. Let me know if you find pictures or don't find pictures. I signed on for the membership very quickly. And then I but I did see that the price was \$181.50 and it's a relatively large piece. That actually undermines the, the value of my artwork. So it's,.. it's dangerous for me as a professional artist to have this listing.

00;14;48;07 - 00;15;39;01

CONTINUED Speaker Annamarie Trombetta Plaintiff

No offense to Worth point, but it is devaluing in contemporary work. I mean this, this is been attributed also, there's a link, there's several links to other sites on your website, link to Marilyn Monroe photographs, and also... that's how it came to my attention initially. Along with that, there's an artist named Thomas Kincaid.

00;15;15;14 - 00;15;34;10

And basically this person is a mall art person. And no offense to mall art, but it is .. umm.. it's not in my level of field as far as category of class is concerned. That's not who I want to be attributed with.

00;15;39;27 - 00;16;14;12

CONTINUED Speaker Annamarie Trombetta Plaintiff

Umm .. It would be.. Well, let's take something as simple as chocolate. You know, Godiva chocolate versus ah.. ni..versus Hershey's chocolate versus something that you find at the \$0.99..stare.. store that sells like chocolate flavored. It's.. it's the various grades. I'm putting it on a very simple level.

Plaintiff's Evidence Expert Dis.001011

**CONTINUED Speaker Annamarie Trombetta Plaintiff**

00;16;08;13 - - 00;16;58;16

You know there's cars too. There's a used car and this painting would be a similar to a used car. There's a Lexus and then there's a Mercedes Benz. Then there's you know, a Bentley on and then there's a Ferrari and the fine art world that I'm in.. is I'm trying to ascribe myself to the Ferrari- Bentley category. If it was a print , if it was a reproduction, you know, like a Giclee` , I could understand that. But an original painting. It's.. it is dangerous.

00;16;59;01 - 00;17;05;17

**CONTINUED Speaker Annamarie Trombetta Plaintiff**

And to have it on there all that time, that's the reason why I'm asking you, can you find out how long it's been up there?

00;17;06;29 - 00;17;21;23

**Speaker Gregory Watkins**

OK, well, I've, I've, added to that, the information you requested in the email and I'm ready to send it to the IT-guys to take down the page and find out with on the back end of that file, if anything.

00;17;21;23 - 00;17;26;10

**Speaker Annamarie Trombetta Plaintiff**

That would be most helpful. Thank you, Gregory.

**Speaker Gregory Watkins**

Ok. You're welcome.

**Speaker Annamarie Trombetta Plaintiff**

Have a good day.

**Speaker Gregory Watkins**

You too.

**Speaker Annamarie Trombetta Plaintiff**

Bye-by

END



EXHIBIT 15 A

Jason Packer <jason.packer@worthpoint.com>

## RE: Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

9 messages

Will Seippel <will.seippel@worthpoint.com>

Sat, Feb 20, 2016 at 10:35 AM

To: Annamarie Trombetta <trombettaart@yahoo.com>, will@worthpoint.com, Jason Packer <jason.packer@worthpoint.com>

Cc: Worthpoint Support <support@worthpoint.com>

Hi, Annamarie. The art world is a very dark world and it is our goal to remove as many shadows as possible and supply equal information, and a lot of it, to all. To achieve this goal many auction houses allow us to use their data, including eBay.

We unfortunately do not take the data from eBay you are asking for. We only obtain selling price, pictures and the description. We do not obtain sellers, buyers and all such information you are asking for. I am sorry we do not do that but we never had and it is more information than we are allowed to collect. I do not think that data actually exists anywhere at this point as we are the only persons that have saved this to my knowledge. Since you are the artists, and I have no reason to doubt that, and you feel this is fraudulent, we will remove the item from the site so that it does not mislead anyone on your paintings.

If I can be of any other help, please let me know.

From: Annamarie Trombetta [mailto:trombettaart@yahoo.com]

Sent: Saturday, February 20, 2016 10:24 AM

To: will@worthpoint.com

Cc: Worthpoint Support <support@worthpoint.com>

Subject: Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

Dear Mr. Seippel and Mr. Watkins,

Allow me to introduce myself to you Mr. Seippel. I am professional artist Annamarie Trombetta. I as well as other people found a listing for a painting entitled 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta. This is not one of my paintings. There is a photo of a signature A. Trombetta with the eBay logo and Copyright symbol written "Copyrighted work licensed by Worthpoint " with your company logo in yellow next to it. This is not my signature. **Please see attachments.**

On February 3, 2016 I spoke with Mr. Gregory Watkins. Mr. Watkins also stated that you were at a conference in Las Vegas. I asked Mr. Watkins certain questions regarding the artwork falsely attributed to me. I requested that he e-mail me his answers regarding these questions that I had about this artwork on Tuesday February 3, 2016. Today is February 20, 2016 and nothing has been forwarded to me. I have contacted eBay several times prior to contacting your company.



EXHIBIT #15 B

Jason Packer <jason.packer@worthpoint.com>

## RE: Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

9 messages

Will Seippel <will.seippel@worthpoint.com>

Sat, Feb 20, 2016 at 10:35 AM

To: Annamarie Trombetta <trombettaart@yahoo.com>, will@worthpoint.com, Jason Packer <jason.packer@worthpoint.com>

Cc: Worthpoint Support <support@worthpoint.com>

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**To:** will@worthpoint.com

**Cc:** Worthpoint Support <support@worthpoint.com>

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EXHIBIT 11 #15(C)  
Jason Packer <jason.packer@worthpoint.com>

## RE: Artist Annamarie Trombetta---Fraudulent Artwork--and links to Fraudulent Artwork

9 messages

Will Seippel <will.seippel@worthpoint.com>

Sat, Feb 20, 2016 at 10:35 AM

To: Annamarie Trombetta <trombettaart@yahoo.com>, will@worthpoint.com, Jason Packer <jason.packer@worthpoint.com>

Cc: Worthpoint Support <support@worthpoint.com>

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To: will@worthpoint.com

Cc: Worthpoint Support <support@worthpoint.com>

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eBay stated that they do not have the name of the seller nor the name of the buyer or the listing for this painting. eBay expressed several times to me that I need to contact Worthpoint since the listing is on your site..

There are still listing for Worthpoint.com under my name. Under google search for the painting "1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta there is a link entitled **Marilyn Monroe 1988 Vintage Michael Ochs Archive and also Thomas Kinkade**. Both Worthpoint sites list 1972 Original Oil Painting Man with Red

WP000135

Plaintiff 000034

RE: Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

Annamarie .../Inbox

Will Seippel <will.seippel@worthpoint.com>

To: 'Annamarie Trombetta'



Sat, Feb 20, 2016 at 10:36 AM

Hi, Annamarie. The art world is a very dark world and it is our goal to remove as many shadows as possible and supply equal information, and a lot of it, to all. To achieve this goal many auction houses allow us to use their data, including eBay.

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EXHIBIT  
#16  
(11)

1 Plaintiff 000039

Yahoo Mail - Fwd: FW: Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

This is by Annamarie Trombetta. It is signed on the bottom, but on the back it has written in red on the stretcher, Annamarie Trombetta "Gifted" 1977, "Painted" 1972. To our eyes it looks like it is after the style of Andre Kohn. It is quite large being approx. 48 1/2" tall and 17 1/2" wide. We are calling it shabby chic condition as it has a tear in the canvas, about 5/8" long just to the left of the man's knees, but still such a great painting. For those not familiar with Trombetta, here is information about her from off AskArt as they got it from her website: Annamarie Trombetta (1963 - ) Lived/Active: New York The nature of an artist's life, creativity and growth may be synonymously expressed in the image of an archetypal tree. Beginning with the earthly descendent roots the artist like the tree branches out into its surrounding environmental and celestial world. Both ascend and descend, widening their girth of consciousness while producing visual imagery, weathering each season of change. Thus, I believe it is the nature of the artist and of nature itself to regenerate and manifest. All of the imagery in this catalog was either created en plein air or from the subject directly. My journey to becoming an artist began many years ago. The consanguineous roots of my Italian family tree provided me with an innate constitution for my artistic profession. When I was a tiny seed of contemplative thought, my artistic nature began to sprout interest while gazing up at the ceiling paintings in a neighborhood church named Regina Pacis, meaning Queen of Peace. The church located in Brooklyn, NY features ceiling paintings, sculptures, marble interiors, and incorporates architectural elements for the façade and the belfry that are of Italianate design. Before the age of three I was able to surmise that the church in the ceiling painting was indeed the church I was in. The visual stimulation was a form of education. It fostered my sense of perception which became my strongest mode for acquiring knowledge. As the years unfurled, my family moved to Staten Island. At this time it was a scenic field of luminosity, lush vegetation and a harbor view complete with sail boats and small yachts. A few years after we moved my tree of life was in jeopardy of losing a limb. What appeared to be a swollen leg was indeed a cancerous tumor. It was an almost fatal or perhaps even a fated occurrence in my life. The struggle to survive the experience was lightened by my imagination and by my artistic ability to create. I seriously thought I would go into medicine but the posters and paintings in the hospital and doctor's office held my attention more intensely. I began my formal training at The Brooklyn Museum School of Art while I was in high school. The exposure to various forms of art inspired me to expand my horizons and in the early Eighties I traveled on a summer tour to Europe. The tour comprised of six countries; Germany, Austria, France, Italy, Switzerland and England. Viewing so many different cities and cultures in a concentrated period of time...

EXHIBIT

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From: Will Seippel <[will.seippel@worthpoint.com](mailto:will.seippel@worthpoint.com)>

Date: Sat, Feb 20, 2016 at 10:35 AM

To: Annamarie Trombetta <[trombettaart@yahoo.com](mailto:trombettaart@yahoo.com)>, [will@worthpoint.com](mailto:will@worthpoint.com), Jason Packer <[jason.packer@worthpoint.com](mailto:jason.packer@worthpoint.com)>Cc: Worthpoint Support <[support@worthpoint.com](mailto:support@worthpoint.com)>

#16(2)

Hi, Annamarie. The art world is a very dark world and it is our goal to remove as many shadows as possible and supply equal information, and a lot of it, to all. To achieve this goal many auction houses allow us to use their data, including eBay.

We unfortunately do not take the data from eBay you are asking for. We only obtain selling price, pictures and the description. We do not obtain sellers, buyers and all such information you are asking for. I am sorry we do not do that but we never had and it is more information than we are allowed to collect. I do not think that data actually exists anywhere at this point as we are the only persons that have saved this to my knowledge. Since you are the artists, and I have no reason to doubt that, and you feel this is fraudulent, we will remove the item from the site so that it does not mislead anyone on your paintings.

1/10/2020

Yahoo Mail - Fwd: FW: Artist Annamarie Trombetta---Fraudulent Artwork--and links to Fraudulent Artwork

If I can be of any other help, please let me know.

Plaintiff 000040

**From:** Annamarie Trombetta [mailto:[trombettaart@yahoo.com](mailto:trombettaart@yahoo.com)]**Sent:** Saturday, February 20, 2016 10:24 AM**To:** [will@worthpoint.com](mailto:will@worthpoint.com)**Cc:** Worthpoint Support <[support@worthpoint.com](mailto:support@worthpoint.com)>**Subject:** Artist Annamarie Trombetta---Fraudulent Artwork--and links to Fraudulent Artwork

EXHIBIT

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**From:** Will Seippel <[will.seippel@worthpoint.com](mailto:will.seippel@worthpoint.com)>**Date:** Sat, Feb 20, 2016 at 10:35 AM**To:** Annamarie Trombetta <[trombettaart@yahoo.com](mailto:trombettaart@yahoo.com)>, [will@worthpoint.com](mailto:will@worthpoint.com), Jason Packer <[jason.packer@worthpoint.com](mailto:jason.packer@worthpoint.com)>**Cc:** Worthpoint Support <[support@worthpoint.com](mailto:support@worthpoint.com)>

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Dear Mr. Seippel and Mr. Watkins,

-----  
**From:** Worthpoint Support <[support@worthpoint.com](mailto:support@worthpoint.com)>**Date:** Sat, Feb 20, 2016 at 10:36 AM**To:** [will.seippel@worthpoint.com](mailto:will.seippel@worthpoint.com)**Ticket #57565: Artist Annamarie Trombetta---Fraudulent**



EXHIBIT #17A

Jason Packer <jason.packer@worthpoint.com>

**FW: Marilyn Monroe 1988 Vintage Michael Ochs Archive Chanel Perfume ...**  
**www.worthpoint.com › Worthopedia™-----Artist Annamarie Trombetta**

4 messages

**Will Seippel** <will.seippel@worthpoint.com>

Wed, Jan 4, 2017 at 11:48 AM

To: Jason Packer <jason.packer@worthpoint.com>

Cc: Antoine Lyseight <antoine.lyseight@worthpoint.com>

Hi Jason, is there anyway you can stop Google from indexing this to our site? There us nothing on our site from her, just this link that Google keeps recognizing.

**From:** Annamarie Trombetta [mailto:trombettaart@yahoo.com]

**Sent:** Wednesday, January 04, 2017 11:28 AM

**To:** will@worthpoint.com

**Subject:** Marilyn Monroe 1988 Vintage Michael Ochs Archive Chanel Perfume ... www.worthpoint.com › Worthopedia™-----Artist Annamarie Trombetta

Mr. Sieppel,

Please allow me to Re-introduce myself. My name is Annamarie Trombetta. I am an artist . Last year I found a MISATTRIBUTION of a painting that I did NOT create on your website--Worthpoint.com which came up on the internet under my name. Specific personal content from my professional biography on my personal artist website was copied, transplanted and posted on your site. A picture of a painted signature on canvas signed A. Trombetta that was NOT MY signature was also photo featured on the Worthpoint.com website listing.

On February 20, 2016 I contacted you via e-mail. Prior to contacting you I had spoken several times with your employer Anita and eventually I was on the phone at length with your webmaster Mr. Gregory Watkins regarding the FRAUDULENT posting of a painting that I did not create. I requested that this Fraudulent listing be permanently removed. I also sent a notice to the company website. SEE BELOW

### **Ticket #57565: Artist Annamarie Trombetta---Fraudulent Artwork--and links to Fraudulent Artwork**

**WorthPoint** | Feb 20, 2016 10:24AM EST

Thank you for submitting your request. We have received your request and are working on responding to you as soon as possible. If you have any additional information to add to this case, please reply to this email.

Thanks in advance for your patience and support.

This message was sent to trombettaart@yahoo.com in reference to Case #57565.

I am contacting you once again **almost a year later** because I found yet again a listing from Worthpoint.com under my name--Annamarie Trombetta artist. Below is today's listing January 4th 2017 of subjects and site which come up when I Google **Annamarie Trombetta artist. PLEASE REVIEW --- The Marilyn Monroe listing** was the **first** place where my name was Falsely associated along with the fraudulent painting and signature attributed to me that was listed on Worthpoint.com.

WP000132

A year ago I took time, energy and effort to contact you and your company regarding the false attribution and requested that it should be removed. I have NEVER HAD ANY ASSOCIATION with WORTHPOINT.com---NOR have I ever had any business with Worthpoint.com and yet in a Google search for Annamarie Trombetta Artist your company is listed under my name. **This listing is not authentic and has NO RIGHT TO BE LISTED UNDER MY NAME. The Listing from Worthpoint.com is taking up space that should be for my other TRUE credentials ---and should not BE OCCUPIED by your company.**

I am requesting that you remove this IMMEDIATELY from the internet -- kindly contact Google and responsibly deal with this issue to bring about a PERMANENT ENDING. I do NOT WISH TO BE ASSOCIATED with your company---in ANY WAY. The numerous times that I have had to contact you regarding this issue is an outrage and a waste of my personal time. This is costing me time, effort and energy needlessly and for NO LOGICAL REASON as AGAIN I have contacted your company numerous times.

I am requesting a written response to this e-mail as soon as possible as a confirmation for receipt of this e-mail. Further, I am requesting that you and your company PERMANENTLY remove the association --or connection that Google or the algorithms on any other internet site thereof have between your company ---Worthpoint.com---- and my name Annamarie Trombetta.

Sincerely,

Annamarie Trombetta

Central Park's Plein Air Past | OutdoorPainter

[www.outdoorpainter.com](http://www.outdoorpainter.com) > Home > Artist Profile

EXHIBIT  
#17B

Mar 2, 2015 - "The Destructive Dance of 'Sandy,'" by Annamarie Trombetta ... all this history, and the connections generated by artists, gave me a mission."

You've visited this page many times. Last visit: 11/2/16

Artist Annamarie Trombetta working on her piano, which ... - Pinterest

<https://www.pinterest.com/pin/177751516514603960/>

Artist Annamarie Trombetta working on her piano, which commemorates the 10- year anniversary of 9/11. | See more about Piano. Anniversaries and Artists

You've visited this page 2 times. Last visit: 2/16/16

Page 1 - Italian American Museum

[italianamericanmuseum.org/exhibitions/Pleinair.htm](http://italianamericanmuseum.org/exhibitions/Pleinair.htm)

1.

Acclaimed artist Annamarie Trombetta presents a solo exhibition that celebrates the influence of the Italian Macchiaioli (Risorgimento) Artists and the American ...

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artist annamarie trombetta's imagery offers visionary interpretation of ...

[www.italianamericanmuseum.org/news/news\\_plein.html](http://www.italianamericanmuseum.org/news/news_plein.html)

1.

Artist Annamarie Trombetta's "Central Park Imagery," a collection of en plein air works in oils, pastels, watercolors, etchings and drawings will be on display at ...

Staten Island native's passionate love affair with Central Park still ...

[www.silive.com/entertainment/index.ssf/.../annamarie\\_trombetta\\_takes\\_a\\_wa.html](http://www.silive.com/entertainment/index.ssf/.../annamarie_trombetta_takes_a_wa.html)

Jan 12, 2015 - STATEN ISLAND, N.Y. — After 20 years and well over a hundred works of art, painter Annamarie Trombetta still hasn't had her fill of Central ...

You've visited this page many times. Last visit: 11/2/16

Marilyn Monroe 1988 Vintage Michael Ochs Archive Chanel Perfume ...

[www.worthpoint.com](http://www.worthpoint.com) › [Worthopedia™](#)

.. Blue Hello Kitty Obey Giant Shepard Fairey Signed & Numbered Rare Print · Handmade New Mexican Folk Art Church Birdhouse LARGE Lark Sedona ...

---

**Jason Packer** <jason.packer@worthpoint.com>  
To: Will Seippel <will.seippel@worthpoint.com>  
Cc: Antoine Lyseight <antoine.lyseight@worthpoint.com>

Wed, Jan 4, 2017 at 9:49 PM

I filed a temporary removal request with Google which may help flush out that URL, but since that URL is showing up for that search based on off-page signals that may not be enough to get it to stop showing.

Beyond that the only thing we could do is remove the URL altogether, let me know if I should do that.

[Quoted text hidden]

---

**Will Seippel** <will.seippel@worthpoint.com>  
To: Jason Packer <jason.packer@worthpoint.com>

Wed, Jan 4, 2017 at 9:51 PM

I would remove it if not too much trouble.

Happy New Year!

Will

[Quoted text hidden]

---

**Jason Packer** <jason.packer@worthpoint.com>  
To: Will Seippel <will.seippel@worthpoint.com>

Thu, Jan 5, 2017 at 8:20 AM

Sure thing, removed.

[Quoted text hidden]

EXHIBIT  
#17C

EXHIBIT # 18A

Secure | <https://mail.yahoo.com/d/search/name=support%2540worthpoint.com&emailAddresses=support%2540worthpoint.com&listFilter=FROM&contactIds=0500...>

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gertie de jongh

Images of Paintings

W

WorthPoint <support@worthpoint.com>  
To: annamarie@trombettaart.com

Also

Sent to Plaintiff's Website Email

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We tried to make a payment for \$19.99 USD on 01/29/2016, but the payment was not successful (Error: Error processing transaction.304 - Lost/Stolen Card).

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Annamarie Trombetta

\*\*\*\*\*2796

01/2020

Visa

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If you have further questions or concerns, please contact WorthPoint's Customer Support at 877-481-5750 or [support@worthpoint.com](mailto:support@worthpoint.com).

Thank you for your business!

INV00065582

INV00065582....pdf

.nal Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (12/01/2012)

1/14/16, 8:42 AM



EXHIBIT  
# 18 B

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price guide

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- [Home](#) > [Worthopedia™](#) > 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz

## 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz

- Sold for: [Start Free Trial](#) or [Sign In](#) to see what it's worth.
- Item Category: -
- Source: [eBay](#)
- Sold Date: Dec 01, 2012
- Channel: Online Auction

EAI Ad Description

Welcome to EstateAuctionsInc! We are one of the Top Sellers of Antiques, Collectibles and Quirky items on eBay. We have been selling since 1998 and ALL of our auctions start at .99 cents. We are proud to announce that we maintain a "FIVE STAR Detailed Seller Rating" and our staff strives for 100% customer satisfaction, our 100% feedback rating will vouch for that. We work with consigners from Coast-To-Coast and work hard to make sure we have top quality items. We are "Your Quality Zone" - search "YQZ" to see our other listings our !

>>>>> UP IN THIS AUCTION <<<<< 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta New York Listed Artist - Shabby Chic Condition

- DESCRIPTION - Please be patient there are 12 photos to be loaded in this auction. Up in this auction is a wonderful and delightful oil on canvas painting of a man (I guess it could be a woman) with a red umbrella. This is by Annamarie Trombette. It is signed on the bottom, but on the back it has written in red on the stretcher, Annamarie Trombetta "Gifted" 1977, "Painted" 1972. To our eyes it looks like it is after the style of Andre Kohn. It is quite large being approx. 48 1/2" tall and 17 1/2" wide. We are calling it shabby chic condition as it has a tear in the canvas, about 5/8" long just to the left of the man's knees, but still such a great painting. For those not familiar with Trombetta, here is information about her from off AskArt as they got it from her website: Annamarie Trombetta (1963 - ) Lived/Active: New York The nature of an artist's life, creativity and

1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (12/01/2012)

EXHIBIT 18  
8/1/15 8:45 PM  
B

website: Annamarie Trombetta (1963 - ) Lived/Active: New York The nature of an artist's life, creativity and growth may be synonymously expressed in the image of an archetypal tree. Beginning with the earthly descendent roots the artist like the tree branches out into its surrounding environmental and celestial world. Both ascend and descend, widening their girth of consciousness while producing visual imagery, weathering each season of change. Thus, I believe it is the nature of the artist and of nature itself to regenerate and manifest. All of the imagery in this catalog was either created en plein air or from the subject directly. My journey to becoming an artist began many years ago. The consanguineous roots of my Italian family tree provided me with an innate constitution for my artistic profession. When I was a tiny seed of contemplative thought, my artistic nature began to sprout interest while gazing up at the ceiling paintings in a neighborhood church named Regina Pacis, meaning Queen of Peace. The church located in Brooklyn, NY features ceiling paintings, sculptures, marble interiors, and incorporates architectural elements for the façade and the belfry that are of Italianate design. Before the age of three I was able to surmise that the church in the ceiling painting was indeed the church I was in. The visual stimulation was a form of education. It fostered my sense of perception which became my strongest mode for acquiring knowledge. As the years unfurled, my family moved to Staten Island. At this time it was a scenic field of luminosity, lush vegetation and a harbor view complete with sail boats and small yachts. A few years after we moved my tree of life was in jeopardy of losing a limb. What appeared to be a swollen leg was indeed a cancerous tumor. It was an almost fatal or perhaps even a fated occurrence in my life. The struggle to survive the experience was lightened by my imagination and by my artistic ability to create. I seriously thought I would go into medicine but the posters and paintings in the hospital and doctor's office held my attention more intensely. I began my formal training at The Brooklyn Museum School of Art while I was in high school. The exposure to various forms of art inspired me to expand my horizons and in the early Eighties I traveled on a summer tour to Europe. The tour comprised of six countries; Germany, Austria, France, Italy, Switzerland and England. Viewing so many different cities and cultures in a concentrated period of time...

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